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STATUS AND ENTITY  
BRANCH

2004 MAR 19 PM 4:09

DOP/REF  
# 307

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. 09/671,283  
Applicant John A. Giordano et al.  
Filed 27 September 2000  
TC/Art Unit 1617  
Examiner Shengjun Wang

Confirmation No. 6590

Docket No. 48508-00004  
Customer No. 23767

**REQUEST FOR REFUND OF EXCESS FEES UNDER 37 CFR § 1.28(a) AND  
RE-ESTABLISHMENT OF SMALL ENTITY STATUS**

Commissioner for Patents  
Alexandria VA 22313

Sir:

Applicants request a refund of excess fees paid on 15 January 2004, with the filing of the Request for Continued Examination (RCE). Applicants inadvertently paid the large entity filing fee of \$770.00 with the RCE when in fact applicants qualified as a small entity under 37 CFR § 1.27 (2)(ii), and should have paid a filing fee of \$385.00. Copies of the RCE transmittal, date stamped USPTO receipt card and applicants' \$770.00 check are enclosed. Applicants respectfully request a refund of \$385.00.

Applicants aver they are entitled to small entity status as defined in 37 CFR § 1.27 (2)(ii), and request the re-establishment of small entity status to this application.

Application No. 09/671,283


Atty. Docket No. 548508-00004  
BRANCH

2004 MAR 19 PM 4:02

Applicant's respectfully request the excess fees of \$385.00 be refunded electronically into the undersigned's Deposit Account No. 50-1067. If there are any fees due in connection with the filing of this request, please charge the fees to the undersigned's Deposit Account, No. 50-1067.

Respectfully submitted,

16 March 2004

  
\_\_\_\_\_  
Don J. Pelt  
Reg. No. 33,754

Preston Gates Ellis & Rouvelas Meeds LLP  
1735 New York Avenue, NW, Suite 500  
Washington, DC 20006  
Telephone: (202) 628-1700  
Facsimile: (202) 331-1024

PRE: **ATES ELLIS & ROUVELAS MEEDS LLP**

16271

STATUS AND ENTRY  
BRANCH  
2004 MAR 19 PM 4: 09

January 15, 2004  
\$770.00  
Commissioner for Patents  
Filing Fee for RCE  
C/M# 48508-00004 Everett Laboratories

**Preston/Gates/Ellis &  
Rouvelas/Meeds w/**  
1755 NEW YORK AVE. NW  
WASHINGTON, DC 20005

CITIBANK, P.A.B.  
WASHINGTON, DC 20036-0067  
16-7011-2540

16271

PAY: Seven Hundred Seventy and 00/100 Dollars

DATE 1/15/2004  
AMOUNT \$770.00

TO THE  
ORDER  
OF  
Commissioner for Patents

*[Signature]*

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⑈3740 6080⑈

